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EXAMINER
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ABYANEH, ALI S

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



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**BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES**

**MAILED**

Application Number: 10/007,750  
Filing Date: November 13, 2001  
Appellant(s): HERICOURT ET AL.

JUN 29 2007

Technology Center 2100

Stephen F. Swinton, Jr.

For Appellant

**EXAMINER'S ANSWER**

This is in response to the Appeal Brief filed 02-22-2007 appealing from the Office action mailed 10-16-2006.

**(1) real Party in Interest**

A statement identifying by name the real party in interest is contained in the brief.

**(2) Related Appeals and Interferences**

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

**(3) Status of Claims**

The statement of the status of claims contained in the brief is correct.

**(4) Status of Amendments After Final**

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

**(5) Summary of Claimed Subject Matter**

The summary of claimed subject matter contained in the brief is correct.

**(6) Grounds of Rejection to be Reviewed on Appeal**

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

**(7) Claims Appendix**

The copy of the appealed claims contained in the Appendix to the brief is correct.

**(8) Evidence Relied Upon**

### **(9) Grounds of Rejection**

The following ground(s) of rejection are applicable to the appealed claims:

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-9 are rejected under 35 U.S.C. 102(e) as being anticipated Paul C. Van Oorschot et al. (US Patent NO. 6,134,550)

#### **Regarding Claim 1**

Van Oorschot teaches a method for filtering certificates issued from as few as one certificate authority (CA), the method comprising the steps of:

receiving a certificate and storing the certificate (column 9, lines 27);

preventing use of the certificate until validation (column 1, lines 50-55);

identifying a certificate authority that has issued the certificate (column 5, lines 7-14);

identifying a certificate authority filter by referring to a table, that comprises identification of at least one certificate authority filter( column4, lines 52-62);

sending a request to the identified certificate authority filter (column 5, lines 14-17);

receiving from the identified certificate authority filter a response to the request, the response comprising information related to the certificate authority that has issued the certificate and a public key of the certificate authority that has issued the certificate (column 5, lines 4-23);

determining according to the response whether the certificate authority is a trusted certificate authority; and

validating the certificate if the certificate authority that has issued the certificate is a trusted certificate authority (column 5, lines 14-25).

## **Regarding Claim 2**

Van Oorschot teaches all limitation of the claim as applied to claim 1 above and furthermore he teaches a method comprising the step of: discarding the certificate if the response indicates that the certificate authority that has issued the certificate is not a trusted certificate authority (column 8, lines 13-22).

## **Regarding Claim 3**

Van Oorschot teaches all limitation of the claim as applied to claim 1 above and furthermore he teaches a method, wherein the step of identifying the certificate authority that has issued the certificate comprises the further step of:

retrieving an identification of the certificate authority from the certificate (column 2, lines 26-28 and column 5, lines 4-13).

#### **Regarding Claim 4**

Van Oorschot teaches all limitation of the claim as applied to claim 1 above and furthermore he teaches a method, wherein the step of sending a request to the identified certificate authority filter comprises the further step of: including in said request an identification of the certificate authority that has issued the certificate (column 5, lines 7-13).

#### **Regarding Claim 5**

Van Oorschot teaches all limitation of the claim as applied to claim 1 above and furthermore he teaches a method, wherein the response received from the identified certificate authority filter comprises a level of trust assigned to the certificate authority, and wherein the step of determining according to the response whether the certificate authority is a trusted certificate authority comprises the further step of: checking whether the level of trust assigned to the certificate authority corresponds to a level of trust of a trusted certificate authority (column2, lines 8-19) .

### **Regarding Claim 6**

Van Oorschot teaches all limitation of the claim as applied to claim 1 above and furthermore he teaches a method, wherein the step of validating the certificate comprises the further steps of: comparing the public key included in the response received from the identified certificate authority filter with a public key included in a response from a second certificate authority filter; and validating the certificate if the public key included in the response received from the identified certificate authority filter is the same as the public key received in the response from the second certificate authority filter (column2, lines 8-19).

### **Regarding Claim 7**

Van Oorschot teaches a method, in as few as one certificate authority filter connected to a network, for filtering certificates issued from as few as one certificate authority, the method comprising the steps of: receiving a request comprising an identification of a certificate authority; identifying the certificate authority in said request (column 5, lines 14-25); finding in a table the certificate authority, the table comprising: identification of as few as one certificate authority and a level of trust and a public key associated with each of said as few as one certificate((column 5, lines 4-13)(examiner considers certificate chain data as applicant's table)) ; determining a level of trust of the identified certificate authority referring to said table ((column 5, lines 62-67)(examiner considers degree of trust as applicant's level of trust)); retrieving a public key associated

with the identified certificate authority referring to said table (column 2, lines 8-23); and sending a response to an originator of the request (column 6, lines 1-12), said response comprising the level of trust of the identified certificate authority and the public key associated with the identified certificate authority (column 5, lines 4-13 and 63-67) .

#### **Regarding Claim 8**

Van Oorschot teaches all limitation of the claim as applied to claim 7 above and furthermore he teaches a method wherein said request further comprises an identification of a destination entity (column 5, lines 4-13)(examiner considers target certification authority as applicant's destination entity).

#### **Regarding Claim 9**

Van Oorschot teaches all limitation of the claim as applied to claim 8 above and furthermore he teaches a method, wherein: the table further includes, associated with the as few as one certificate authority, the destination entity and a level of trust associated with the destination entity; and wherein the step of determining the level of trust further includes the step of determining the level of trust associated with the destination entity by referring to the table (column 11, lines 24-49 and column 5, lines 62-67).



### **(10) Response to Argument**

In page 4 of the Appeal Brief, Appellant disagrees with Examiner statement in the final office action that applicant claim limitation of "as few as one certificate authority" could be interpreted as one or more certificate authority.

As it was discussed in the final office action "as few as one certificate authority" does not mean a single certificate authority. The phrase "as few as one" does not mean only one, it could be two, three or any other number within the range of one to infinity, in another word "as few as one" could mean one or more. "As few as one" and "one or more" both, have the same mathematical result. Therefore, "a few as one certificate authority" could be interpreted as one or more certificate authority.

In page 5 of the Appeal Brief Appellant refers to the Examiner cited portion of Van Oorschot in final office action and argues that quotation cited by the Examiner "...offers no support for the Examiner's allegation that Van Oorschot teaches a table including identification of individual certificate authorities". Examiner respectfully disagrees.

Van Oorschot discloses, "Alternatively, the certificate chain data constructing unit can provide **names or directory information or other identification data of those certification authorities** in a selected path between a **beginning and target certification authority**, for example the target CA being the CA which issued the certificate of a subscriber whose public key certificate is to be verified" (column 5, lines 7-14). It is clear from the above citation that the certificate chain data (table) includes

identification data of individual certificate authorities between beginning and target authorities.

To provide more support for “a table including identification of individual certificate authorities”, Appellant is referred to Van Oorchot column 4, lines 52-57 wherein Van Oorchot teaches “the certificate chain data may be a list of all certification authorities..”.

In page 6 of the Appeal Brief Appellant further insists that the phrase “as few as one” and “one or more are not equivalent.

Examiner has noticed that although Appellant insisting that the phrase “as few as one” and “one or more are not equivalent, the specification provided in this application does not include or mention any thing in regard to “as few as one certificate”, in fact specification heavily refers to “ one or more certificate”.

For example applicant's specification recites:

“The present invention discloses a system and method, in a workstation connected to a network, for filtering certificates issued **from one or more certificate authorities (CA)**” (specification, page 8, lines 23-25).

“identifying **one or more certificate authority** filters (CAF) referring to a table (CFC table), the table comprising an **identification of one or more certificate authority filters**” (specification, page 9, lines 8-10).

“The present invention also discloses a system and method, in a certificate authority filter connected to a network, for filtering certificates issued from **one or more certificate authorities (CA)**”(specification, page 9, lines 24-26).

“the identification of **one or more certificate authorities** (specification, page 10, line 3).

As it is clear from the above citations of the specification, Appellant has used the phrase “one or more certificate authority” throughout the specification and arguing against the phrase “one or more certificate authority” in the Appeal Brief.

If as it is suggested by Appellant “as few as one” and “one or more” are not equivalent, then as it can be seen from the above citations of the specification claims are in contrary with the specification and there is no support for the claimed limitations of “as few as one certificate” in the specification.

**(11) Related Proceeding(s) Appendix**

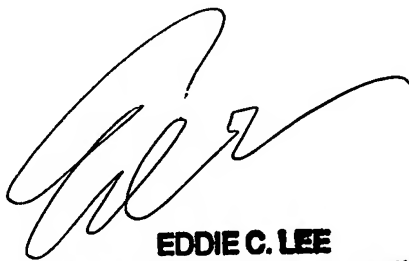
No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

Respectfully submitted,

Ali Abyaneh  
AA

Conferees:

Eddie Lee



**EDDIE C. LEE**  
SUPERVISORY PATENT EXAMINER

Jacques Louis-Jacques

